

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MAURICE PIERCE,

Plaintiff,

v.

OSCAR AVILES,

Defendant.

Civil No. 24-1215 (BRM) (LDW)

MEMORANDUM AND ORDER

Before the Court is *pro se* Plaintiff Maurice Pierce’s (“Plaintiff”) civil rights amended complaint (“Amended Complaint”), filed pursuant to 42 U.S.C. § 1983. (ECF No. 5 at 3-4.)

On March 29, 2024, after granting Plaintiff’s application to proceed *in forma pauperis*, the Court screened Plaintiff’s initial complaint for dismissal under 28 U.S.C. §§ 1915(e)(2)(B). (*See* ECF Nos. 3, 4.) The Court dismissed the initial complaint for failure to state a claim upon which relief could be granted. (*See id.*) The Court permitted Plaintiff to file an Amended Complaint. On October 30, 2024, Plaintiff filed a letter with an attached amendment to his initial complaint. (ECF No. 5.) Plaintiff indicates that the attachment is his Amended Complaint. (*Id.* at 2.)

However, the Amended Complaint contains only a statement of facts. (*See id.* at 3-4.) The Amended Complaint fails to include the names of any defendants, a request for relief, or Plaintiff’s signature. (*Id.*) Federal Rule of Civil Procedure 8(a)(2) requires that, in order to state a claim, a pleading must contain “a short and plain statement of the claim showing that the pleader is entitled to relief,” which “give[s] the defendant fair notice of what the . . . claim is and the grounds upon which it rests.” *Bell Atl. Corp. v. Twombly*, 550 U.S. 526, 545 (2007) (citing *Conley v. Gibson*, 355 U.S. 41, 47 (1957)). The Amended Complaint fails to put any defendant on notice of the claims against them.

The Court will not allow Plaintiff to amend his initial complaint in a piecemeal fashion. However, in light of Plaintiff's *pro se* status, the Court will allow Plaintiff to file one all-inclusive amended complaint that contains all of his claims and any named defendant he wishes to raise said claims against.

Accordingly,

IT IS on this 6th day of December 2024,

ORDERED the Clerk of the Court shall make a new and separate entry marking this matter **RE-OPENED**; it is further

ORDERED within **30 days** of the date of this Order, Plaintiff may file an amended complaint which contains all claims and supporting facts he wishes to raise before the Court, and any defendant he is raising said claims against; when submitting any amended complaint, Plaintiff is reminded of Federal Rule of Civil Procedure 8(a)(2)'s requirement that the complaint contain a "short and plain statement of the claim showing that the pleader is entitled to relief;" and it is further

ORDERED the Clerk of the Court shall serve a copy of this Order upon Plaintiff by regular U.S. mail and **CLOSE** this matter.

/s/Brian R. Martinotti
HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT JUDGE